

## Zoning Case 2021-011

**An Ordinance of the City of Plano, Texas, amending Article 8 (Definitions), Article 13 (Lot and Building Standards), Article 14 (Allowed Uses and Use Classifications), Article 16 (Parking and Loading), Article 22 (Signs), and related sections of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, pertaining to community center, public building, library, and related uses; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date.**

**WHEREAS**, the City Secretary of Plano, Texas, directed that notices of a hearing be issued, as required by the Zoning Ordinance of the City of Plano and laws of the State of Texas, at a meeting of the City Council, to be held on the 26th day of July 2021, for the purpose of considering a change in the Zoning Ordinance; and

**WHEREAS**, the City Secretary of the said City accordingly caused to be issued and published the notices required by its Zoning Ordinance and laws of the State of Texas applicable thereto, the same having been published in a paper of general circulation in the City of Plano, Texas, at least fifteen (15) days prior to the time set for such hearing; and

**WHEREAS**, the City Council of said City, pursuant to such notice, held its public hearing and heard all persons wishing to be heard both for and against the aforesaid change in the Zoning Ordinance, on the 26th day of July 2021; and

**WHEREAS**, the City Council is of the opinion and finds that such change would not be detrimental to the public health, safety, or general welfare, and will promote the best and most orderly development of the properties affected thereby, and to be affected thereby, in the City of Plano, and as well, the owners and occupants thereof, and the City generally.

**IT IS, THEREFORE, ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:**

**Section I.** Amend Section 8.200 (Terms Defined) of Article 8 (Definitions) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such amended and new definitions to read as follows:

### **Community Center**

A building, or complex of buildings, that houses cultural, recreational, athletic, library, and/or entertainment facilities owned and/or operated by a governmental agency or private non-profit agency.

## **Government Facility**

Any building or land area that is owned, primarily used, and/or primarily occupied by a public school, city, state, or federal government, or such building or land area that is specifically exempt from land-use regulation by state or federal law.

**Section II.** Amend Section 13.600 (Height Regulations) of Article 13 (Lot and Building Standards) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such portion of section to read as follows:

- .1 In all zoning districts and planned developments, water standpipes and tanks; religious facility architectural features; bell towers; domes and spires on government facilities, school buildings, and institutional buildings; the roofs of auditoriums and sanctuaries of one story construction; and public safety structures may be erected to exceed the district's maximum height. Side and rear yards shall be increased by 2 additional feet, and the front yard shall be increased by one additional foot, for each foot that such structures exceed the district's maximum height where adjacent to residential districts. The increase in the required yard shall apply only to the portion of the structure that causes the increased yard requirements. See Sec. 13.500.3 and 13.500.4 for additional side and rear yard setbacks in non-residential zoning districts.

**Section III.** Amend Article 14 (Allowed Uses and Use Classifications) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such additional section to read as follows:

### **14.600 Government Facilities**

- .1 These regulations are adopted for the purpose of complying with Texas Local Government Code, the Federal and Texas Constitution and state and federal laws.
- .2 Government facilities are allowed by right in all zoning districts but are otherwise bound by the development regulations of the City of Plano except where specifically exempted by law.

**Section IV.** Amend Section 16.100 (General) of Article 16 (Parking and Loading) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such portion of section to read as follows:

- .1 Except as otherwise provided for in this article, off-street parking shall be provided as follows:
  - A. In all districts except BG, in connection with every business, institution, recreational, residential, manufacturing, research laboratory, government facility, or any other use, there shall be provided, at the time any building or structure is erected or is enlarged or increased in capacity, off-street parking spaces, in accordance with the requirements set forth in Sec. 16.700.

**Section V.** Amend Section 16.700 (Off-Street Parking Schedule) of Article 16 (Parking and Loading) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such portions of section to read as follows:

**Parking Space Schedule for Nonresidential Uses**

Zoning Districts or Uses	Minimum Required Off-Street Parking or Spaces for Nonresidential Uses
Community Center	
Library or Museum	10 spaces plus one space for each 300 square feet of floor area
Recreational or Athletic	Same as Health/Fitness Center
Entertainment, Assembly, or Cultural	Same as Theater, Meeting Room, and Assembly Hall
Theater, Meeting Room, and Assembly Hall	One space for every 3 seats or for every 3 persons accommodated

**Section VI.** Amend Part L of Subsection 22.400.3 (Prohibited Signs) of Section 22.400 (General) of Article 22 (Signs) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such part to read as follows:

- L. No person shall attach any sign, paper, or other material, or paint, stencil, or write any name, number (except house numbers), or otherwise mark on any sidewalk, curb, gutter, street, utility pole, government facility, or structure, except as otherwise allowed by this ordinance.

**Section VII.** All provisions of the ordinances of the City of Plano in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Plano, not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

**Section VIII.** The repeal of any ordinance or part of ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any ordinance at the time of passage of this Ordinance.

**Section IX.** Any violation of the provisions or terms of this ordinance by any person, firm or corporation shall be a misdemeanor offense and shall be subject to a fine in accordance with Section 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

**Section X.** It is the intention of the City Council that this Ordinance, and every provision hereof, shall be considered severable and the invalidity or partial invalidity of any section, clause or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

**Section XI.** This Ordinance shall become effective immediately upon its passage and publication as required by law.

**PASSED AND APPROVED THIS THE 26TH DAY OF JULY 2021.**

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John B. Muns, MAYOR

ATTEST:

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Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

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Paige Mims, CITY ATTORNEY